

LOWENSTEIN SANDLER LLP

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*Counsel to the Debtors and
Debtors-in-Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

Duro Dyne National Corp., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-27963 (MBK)

(Jointly Administered)

**SEVENTEENTH MONTHLY FEE STATEMENT OF LOWENSTEIN SANDLER LLP
FOR THE PERIOD MARCH 1, 2020 THROUGH MARCH 31, 2020**

Lowenstein Sandler LLP, counsel to the above-captioned debtors and debtors-in-possession (collectively, the “**Debtors**”), submits this seventeenth monthly fee statement² for the period March 1, 2020 through March 31, 2020 (the “**Seventeenth Fee Statement**”) pursuant to the Court’s *Administrative Fee Order Establishing Certain Procedures for Allowance of Interim Compensation and Reimbursement of Expenses of Professionals Retained By Order of this Court*, dated December 18, 2018 [Docket No. 345] (the “**Administrative Order**”).

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number, are: Duro Dyne National Corp. (4664); Duro Dyne Machinery Corp. (9699); Duro Dyne Corporation (3616); Duro Dyne West Corp. (5943); and Duro Dyne Midwest Corp. (4662).

² Lowenstein Sandler filed its *First Interim Application of Lowenstein Sandler LLP As Counsel To The Debtors For Compensation For Services Rendered And Reimbursement Of Expenses For The Period From September 7, 2018 Through November 30, 2018* [D.I. 353] in lieu of its first monthly fee statement.

Pursuant to the Administrative Order, responses to the Seventeenth Fee Statement, if any, are due by May 4, 2020.

Dated: April 22, 2020

Respectfully submitted,

LOWENSTEIN SANDLER LLP

/s/ Jeffrey D. Prol

Kenneth A. Rosen, Esq.

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Counsel to the Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

D.N.J. LBR 2016-1, FEE APPLICATION COVER SHEET

IN RE: Duro Dyne National Corp., et al.,¹ APPLICANT: Lowenstein Sandler LLP
CASE NO.: 18-27963 (MBK) CLIENT: Chapter 11 Debtors
CHAPTER: 11 CASE FILED: September 7, 2018

COMPLETION AND SIGNING OF THIS FORM CONSTITUTES A CERTIFICATION UNDER
PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. SECTION 1746

RETENTION ORDER(S) ATTACHED

**SEVENTEENTH MONTHLY FEE STATEMENT OF LOWENSTEIN SANDLER LLP
FOR THE PERIOD MARCH 1, 2020 THROUGH MARCH 31, 2020**

SECTION I
FEE SUMMARY

	<u>FEES</u>	<u>EXPENSES</u>
TOTAL PREVIOUS FEES REQUESTED	<u>\$1,363,002.50</u>	<u>\$46,377.31</u>
TOTAL FEES ALLOWED TO DATE:	<u>\$1,338,664.00</u>	<u>\$46,316.81</u>
TOTAL RETAINER REMAINING	<u>\$0.00</u>	<u>\$0.00</u>
TOTAL PREVIOUS HOLDBACK (IF APPLICABLE) ²	<u>\$4,867.70</u>	<u>\$0.00</u>
TOTAL RECEIVED BY LOWENSTEIN SANDLER ³	<u>\$1,348,106.10</u>	<u>\$46,337.41</u>
FEE TOTALS	<u>\$28,731.50</u>	
DISBURSEMENTS TOTALS	<u>+ \$0.00</u>	
TOTAL FEE APPLICATION	<u>\$28,731.50</u>	
MINUS 20% HOLDBACK	<u>- \$5,746.30</u>	
AMOUNT SOUGHT AT THIS TIME	<u>\$22,985.20</u>	

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's tax identification number, are: Duro Dyne National Corp. (4664); Duro Dyne Machinery Corp. (9699); Duro Dyne Corporation (3616); Duro Dyne West Corp. (5943); and Duro Dyne Midwest Corp. (4662).

² This amount reflects holdback amounts for the Fifth Interim Period of March 1, 2020 through March 31, 2020 only, and does not include outstanding amounts owed for the prior interim periods.

³ Prior to the Petition Date, Lowenstein Sandler was retained to represent the Debtors in these Chapter 11 Cases. Lowenstein Sandler was paid for all amounts owed for legal services rendered prior to the Petition Date and was holding a retainer in the amount of \$117,300.04 (the "Retainer") for services and expenses incurred during these Chapter 11 Cases. The total amount received by Lowenstein Sandler reflects the application of the Retainer to amounts requested in Lowenstein Sandler's First Interim Fee Application [D.I. 353].

Name of Professional	Year Admitted	Title/Department	Hours Spent	Hourly Rate	Charge
Citron, Lowell A.	1995	Partner/Corporate / Tax	0.50	\$1,115.00	\$557.50
Prol, Jeffrey D.	1989	Partner/Bankruptcy	20.60	\$895.00	\$18,437.00
Kramer, Jeffrey A.	1995	Counsel/Bankruptcy	3.90	\$470.00	\$1,833.00
Suckerman, Daniel A.	2007	Counsel/Corporate / Tax	6.70	\$695.00	\$4,656.50
Yusem, Stuart S.	1982	Counsel/Corporate / Tax	1.00	\$755.00	\$755.00
Tanico, Stephen	2017	Associate/Corporate / Tax	3.30	\$475.00	\$1,567.50
Lawler, Elizabeth B.	N/A	Paralegal/Bankruptcy	3.70	\$250.00	\$925.00
TOTAL FEES			39.70		\$28,731.50
Attorney Blended Rate					\$772.40

SECTION II
SUMMARY OF SERVICES

Task	Task Description	Hours	Fees
B165	Employment and Retention Applications - Others	1.20	\$564.00
B175	Fee Applications and Invoices - Others	5.20	\$1,630.00
B230	Financing/Cash Collateral	5.90	\$4,230.50
B250	Real Estate	7.30	\$4,347.50
B310	Claims Administration and Objections	3.00	\$2,685.00
B320	Plan and Disclosure Statement (including Business Plan)	17.10	\$15,274.50
	Total	39.70	\$28,731.50

SECTION III
SUMMARY OF DISBURSEMENTS

N/A	\$0.00
Total Disbursements	\$0.00

**SECTION IV
CASE HISTORY**

(NOTE: Items 3 - 6 are not applicable to applications under 11 U.S.C. §506)

- (1) DATE CASE FILED: September 7, 2018
- (2) CHAPTER UNDER WHICH CASE WAS COMMENCED: 11
- (3) DATE OF RETENTION: October 19, 2018, effective as of September 7, 2018 [Docket No. 194]. See Order attached.
- (4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH SUPPLEMENTS AS NEEDED:
 - a) Lowenstein Sandler attended to settlement negotiations regarding North River's claim;
 - b) Lowenstein Sandler prepared a motion to amend the ordinary course professionals' order;
 - c) Lowenstein Sandler conferred with the Debtors and the Debtors' financial advisor, and conducted legal research regarding potential government relief programs related to coronavirus;
 - d) Lowenstein Sandler reviewed and revised mortgage agreement documents;
 - e) Lowenstein Sandler reviewed and revised the proposed confirmation order, findings of fact and conclusions of law, and related settlement agreements;
 - f) Lowenstein Sandler conferred with the Debtors and the Debtors' financial advisor regarding exit financing;
 - g) Lowenstein Sandler assisted with the preparation and filing of monthly fee applications on behalf of the Debtors' other professionals; and
 - h) Lowenstein Sandler performed all other legal services for the Debtors that were necessary and proper in these proceedings and in furtherance of the Debtors' needs.
- (5) ANTICIPATED DISTRIBUTION TO CREDITORS:
 - (A) ADMINISTRATION EXPENSES: (100%)
 - (B) SECURED CREDITORS: (100%)
 - (C) PRIORITY CREDITORS: (100%)
 - (D) GENERAL UNSECURED CREDITORS: (100%)

- (6) FINAL DISPOSITION OF CASE AND PERCENTAGE OF DIVIDEND PAID TO CREDITORS (IF APPLICABLE): The Bankruptcy Court's recommendation in favor of confirmation of the Debtor's Plan of Reorganization is pending before the District Court.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: April 22, 2020

/s/ Jeffrey D. Prol
Jeffrey D. Prol Esq.



Order Filed on October 19, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

LOWENSTEIN SANDLER LLP

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*Proposed Counsel to the Debtors and
Debtors-in-Possession*

In re:

Duro Dyne National Corp., *et al.*¹

Debtors.

Chapter 11

Case No. 18-27963 (MBK)

(Jointly Administered)

**ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF
LOWENSTEIN SANDLER LLP AS COUNSEL TO THE DEBTORS
EFFECTIVE AS OF THE PETITION DATE**

The relief set forth on the following pages, numbered two (2) through three (3), is
hereby **ORDERED**.

DATED: October 19, 2018


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtors: Duro Dyne National Corp., et al.

Case No.: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of Lowenstein Sandler LLP as Counsel to the Debtors Effective as of the Petition Date

Upon consideration of the application (the “Application”)² of the above captioned debtors and debtors-in-possession (collectively, the “Debtors”) for entry of an order authorizing the employment and retention of Lowenstein Sandler LLP (“Lowenstein Sandler”) as counsel to the Debtors, effective as of the Petition Date (September 7, 2018), and upon consideration of the Prol Declaration submitted in support of the Application; and the Court being satisfied, based on representations made in the Application that (i) Lowenstein Sandler has no connection with the Debtors, their creditors, any other party in interest, their current respective attorneys or professionals, the United States Trustee or any person employed in the office of the United States Trustee, and does not represent any entity having an adverse interest to the Debtors in connection with the Debtors’ Chapter 11 Cases, except as set forth in the Prol Declaration; (ii) Lowenstein Sandler is a “disinterested person” as that phrase is defined in section 101(14) of the Bankruptcy Code, (iii) neither Lowenstein Sandler, nor its professionals, have any connection with the Debtors, their creditors or any other party in interest; and (iv) Lowenstein Sandler’s employment is necessary and in the best interest of the Debtors; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey dated September 18, 2012 (Simandle, C.J.); and venue being proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and notice of the Application being sufficient under the circumstances; and it appearing that no other or further notice need be provided; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Application is **GRANTED** as set forth herein.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Application.

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Debtors: Duro Dyne National Corp., *et al.*

Case No.: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of Lowenstein Sandler LLP as Counsel to the Debtors Effective as of the Petition Date

2. The Debtors are authorized to employ and to retain Lowenstein Sandler, effective as of the Petition Date, to serve as the Debtors' counsel in these Chapter 11 Cases.

3. Lowenstein Sandler shall be compensated in accordance with sections 330 and 331 of the Bankruptcy Code, the applicable provisions of the Bankruptcy Rules, the Local Rules, and any orders entered in this case governing professional compensation and reimbursement for services rendered and charges and disbursements incurred.

4. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Application or otherwise waived.

5. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

6. This Court shall retain exclusive jurisdiction to hear and decide any and all disputes related to or arising from the implementation, interpretation and enforcement of this Order.

EXHIBIT A

EXHIBIT A

Professional Services rendered by Lowenstein Sandler LLP, through February 29, 2020

In re: Chapter 11

I. SUMMARY OF TIME CHARGES AND HOURLY RATES

Name of Professional	Year Admitted	Title/Department	Hours Spent	Hourly Rate	Charge
Prol, Jeffrey D.	1989	Partner/Bankruptcy	0.80	\$895.00	\$716.00
Kramer, Jeffrey A.	1995	Counsel/Bankruptcy	1.50	\$470.00	\$705.00
Claussen, Diane	N/A	Paralegal/Bankruptcy	0.60	\$270.00	\$162.00
Lawler, Elizabeth B.	N/A	Paralegal/Bankruptcy	<u>5.00</u>	\$250.00	<u>\$1,250.00</u>
TOTAL FEES			7.90		\$2,833.00
Attorney Blended Rate					\$617.83

TIME DETAIL:

Code	Date	Timekeeper	Time Narrative	Hours	Amount
<u>B100 - Administration</u>					
<u>B110 Case Administration</u>					
B110	02/13/20	DC	Tend to filing Affidavit of Service for BMC Group	0.10	\$27.00
B110	02/20/20	DC	Tend to filing Affidavits of Service for BMC Group	0.20	\$54.00
B110	02/27/20	DC	Tend to filing and service of January 2020 Monthly Operating Report	0.20	\$54.00
B110	02/27/20	JAK	Review monthly operating report for filing and confer with LS team	0.20	\$94.00
B110	02/28/20	DC	Tend to filing Affidavit of Service for BMC Group	0.10	\$27.00
Total B110 - Case Administration				0.80	\$256.00
<u>B160 Fee/Employment Applications</u>					
B160	02/05/20	EBL	Prepare Lowenstein Sandler's fourteenth monthly fee statement and related documents	0.90	\$225.00
B160	02/05/20	EBL	Finalize, (.2) e-file (.1) and coordinate service of Lowenstein Sandler's fourteenth monthly fee statement (.1); send to client and update charts and file re: same (.1)	0.50	\$125.00
B160	02/05/20	JAK	Review LS fee application and confer with LS team re: service of same	0.20	\$94.00
B160	02/28/20	EBL	Review e-mail from G. Bickar re: payments received; update master fee application chart re: same	0.20	\$50.00
Total B160 - Fee/Employment Applications				1.80	\$494.00
<u>B175 Fee Applications and Invoices - Others</u>					
B175	02/04/20	JDP	Telephone conference with C. O'Callahan re: fee apps and controlling fees moving forward	0.10	\$89.50
B175	02/04/20	JDP	E-mails to/from J. Liesemer re: Caplan fee statement and resolution of N. River claim	0.10	\$89.50

ALL DETAILED INFORMATION IS CONSIDERED TO BE PRIVILEGED AND CONFIDENTIAL.

Code	Date	Timekeeper	Time Narrative	Hours	Amount
B175	02/05/20	EBL	Prepare Getzler's fourteenth monthly fee statement and related documents (.7); finalize and e-file same (.2); e-mail to client re: same (.1); coordinate service of same (.1); update charts and files re: same (.1)	1.20	\$300.00
B175	02/05/20	JAK	Review and revise fee applications for Debtors' professionals and confer with LS team re: service of same	0.40	\$188.00
B175	02/21/20	EBL	Revise, finalize, efile and serve Anderson Kill's January fee statement; update master fee chart and electronic files re: same	1.00	\$250.00
B175	02/21/20	EBL	Phone calls with P. Holland re: payments due on fourth interim fee orders	0.20	\$50.00
B175	02/21/20	EBL	Download fourth interim fee orders re: all professionals and send to C. O'Callaghan	0.30	\$75.00
B175	02/21/20	EBL	Prepare and e-file CNO re: Getzler's fourteenth monthly fee statement	0.30	\$75.00
B175	02/21/20	JAK	Review Getzler fee application for filing and confer with LS team	0.20	\$94.00
B175	02/21/20	JAK	Review Anderson Kill interim fee application for filing and confer with LS team	0.30	\$141.00
B175	02/21/20	JAK	Confer with BMC re: service of Anderson Kill interim fee application	0.20	\$94.00
B175	02/26/20	EBL	File proof of service re: Anderson Kill January fee statement; file proof of service re: BMC Group January invoice	0.40	\$100.00
Total B175 - Fee Applications and Invoices - Others				4.70	\$1,546.00

B300 - Claims and Plan

B310 Claims Administration and Objections

B310	02/25/20	JDP	Telephone conference with G. Calhoun re: settlement with N. River; e-mails to/from committee counsel re: same	0.20	\$179.00
B310	02/25/20	JDP	Prepare for and participate in call with committee counsel re; revised N. River settlement proposal	0.40	\$358.00
Total B310 - Claims Administration and Objections				0.60	\$537.00

Timekeeper Summary (by Task):

Task	Task Description	Hours	Fees
B110	Case Administration	0.80	\$256.00
B160	Fee/Employment Applications	1.80	\$494.00
B175	Fee Applications and Invoices - Others	4.70	\$1,546.00
B310	Claims Administration and Objections	0.60	\$537.00
	Total	7.90	\$2,833.00

EXHIBIT B

EXHIBIT B

Actual and necessary disbursements incurred by Lowenstein Sandler LLP

II. Summary of Disbursement Charges

Computerized legal research	<u>\$7.10</u>
Total Disbursements	<u><u>\$7.10</u></u>

The above charges are based upon time and expense records available on or about the date of the attached letter. Such records are believed in good faith to be accurate and substantially up to date, but there may be fees and expenses that have not been processed as of such date which Lowenstein Sandler LLP may submit in the future. Lowenstein Sandler LLP reserves the right to amend this monthly statement at a later date.

DISBURSEMENT DETAIL:

<u>Date</u>	<u>Description</u>	<u>Amount</u>
02/13/20	Computerized legal research: Pacer: VENDOR: Pacer Service Center INVOICE#: 4586608-Q12020 DATE: 4/15/2020 Date: 02/13/2020 Court: NJBK Pages: 4	\$0.40
02/20/20	Computerized legal research: Pacer: VENDOR: Pacer Service Center INVOICE#: 4586608-Q12020 DATE: 4/15/2020 Date: 02/20/2020 Court: NJBK Pages: 7	\$0.70
02/27/20	Computerized legal research: Pacer: VENDOR: Pacer Service Center INVOICE#: 4586608-Q12020 DATE: 4/15/2020 Date: 02/27/2020 Court: NJBK Pages: 30	\$3.00
02/27/20	Computerized legal research: Pacer: VENDOR: Pacer Service Center INVOICE#: 4586608-Q12020 DATE: 4/15/2020 Date: 02/27/2020 Court: OHSBK Pages: 30	\$3.00
	Total Disbursements	<hr/> \$7.10 <hr/> <hr/>